

Indiana Department of Education

Division of Exceptional Learners

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1983.02
COMPLAINT INVESTIGATOR:	Sandie Scudder
DATE OF COMPLAINT:	December 6, 2002
DATE OF REPORT:	December 20, 2002
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	January 27, 2003

COMPLAINT ISSUES:

Whether the Kokomo-Center Township Consolidated School Corporation and the Kokomo Area Special Education Cooperative violated:

511 IAC 7-25-2 by failing to identify the student as a student in need of special education and related services.

FINDINGS OF FACT:

1. The student (Student) is 10 years old, is in fifth grade, and is eligible for special education and related services as a student with a learning disability.
2. The Advocate states that the Student transferred to the present school for the 2002-2003 school year. However, the School has not provided the Student with special education services since the Student's enrollment.
3. The Director states that the parent noted on the enrollment form, dated August 2, 2002, that the Student received special education services, but acknowledged that the Student had not been provided with the required special education services. The Principal for the present school requested educational records from the Student's previous school; however, no special education records were received. The Director stated that there were administrative changes within both schools, plus an additional special education administrative staff member was hired which resulted in confusion "about who to contact for what." The director stated that special education services would be offered to the Student immediately. The Student has a current IEP dated February 15, 2002.

CONCLUSIONS:

1. Findings of Fact #2, and #3 reflect that the enrollment form dated August 2, 2002, documented that the Student was eligible for special education services. After enrolling, the Student did not receive special education services as required by the IEP dated February 7, 2002. Therefore, a violation of 511 IAC 7-25-2 is found.

The Department of Education, Division of Exceptional Learners requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Kokomo-Center Township Consolidated School Corporation and the Kokomo Area Special Education Cooperative shall:

Convene the CCC to determine the amount of compensatory services the School must provide to the Student for special education services required by the February 7, 2002, IEP, but not provided to the student during the 2002-2003 school year. **A copy of the CCC Report stating how the compensatory services shall be delivered, by whom, and the amount of compensatory services the Student will receive shall be submitted to the Division no later than January 24, 2002.**